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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/628,519	
	Filing Date	7/28/2003	
	First Named Inventor	Gegory A. Ehlers	
	Art Unit	3621	
	Examiner Name	Christina O. Scherr	
Total Number of Pages in This Submission	14	Attorney Docket Number	4834-00007

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
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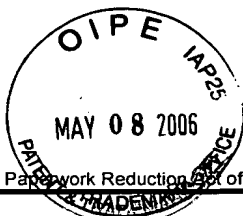
  
05-08-2006  
U.S. Patent & TMO/TM Mail Rcpt Dt. #72

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Andrus, Scales, Starke & Sawall, LLP		
Signature	<i>Joseph D. Kuborn</i>		
Printed name	Joseph D. Kuborn		
Date	5/5/06	Reg. No.	40,689

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Roni Haupt</i>		
Typed or printed name	Roni Haupt	Date	5-5-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$0.00

**Complete if Known**

Application Number	10/628,519
Filing Date	7/28/2003
First Named Inventor	Gegory A. Ehlers
Examiner Name	Christina O. Scherr
Art Unit	3621
Attorney Docket No.	4834-00007

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☐ Deposit Account Deposit Account Number: 01.2000 Deposit Account Name: Andrus, Sceales, Starke & Sawall, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>		
- 20 = _____ x _____ = \$0.00		
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>		
- 3 = _____ x _____ = \$0.00		
HP = highest number of independent claims paid for, if greater than 3.		

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = \$0.00				

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 40,689	Telephone 414-271-7590
Name (Print/Type)	Joseph D. Kuborn	Date 5/5/06	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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May 5, 2006

Kelli Withrow  
Invensys - Intellectual Property Department  
33 Commercial Street, B52-1J  
Foxboro, MA 02035

Re: Pending U.S. Patent Appln. No. 10/628,519  
SYSTEM AND METHOD FOR CONTROLLING DELIVERING  
OF A COMMODITY  
Inventors: G.A. Ehlers, J.H. Turner, J. Beaudet, R. Strich, G. Loughmiller  
Invensys #02503C2  
Andrus Ref.: 4834-00007

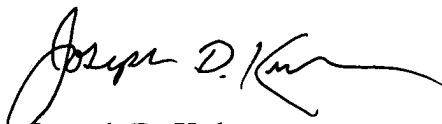
Dear Kelli:

Enclosed is a copy of the Response to Restriction Requirement that was filed in  
the U.S. Patent Office on May 5, 2006.

I will keep you advised.

Very truly yours,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

  
Joseph D. Kuborn

JDK:rh  
Enclosure



05-08-2006  
U.S. Patent & TMO/TM Mail Rcpt Dt. #72



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. :	10/628,519	)	CERTIFICATE OF MAILING
Applicant :	Gregory A. Ehlers et al.	)	I hereby certify that this correspondence is
Filed :	7/28/2003	)	being deposited with the United States
Title :	System and Method for	)	Postal Service with sufficient postage as
	Controlling Delivering	)	first class mail in an envelope addressed to:
	of a Commodity	)	Commissioner of Patents, P.O. Box 1450,
TC/A.U. :	3621	)	Alexandria, VA 22313-1450, on this <u>5<sup>th</sup></u>
Examiner :	Christina O. Scherr	)	day of May, 2006.
		)	
Docket No. :	4834-00007	)	<u>Roni Haupt</u> <u>5-5-06</u>
		)	Roni Haupt Date

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop: Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper responds to the Office Action mailed April 10, 2006.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 12 of this paper.